

Appl. No. 09/695,814

RECEIVED
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TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/695,814
Filing Date October 24, 2000
Inventor Stephen P. Turner et al.
Assignee Honeywell International Inc.
Group Art Unit 1753
Examiner McDonald, Rodney
Attorney's Docket No. H0001468
Title: Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering
Targets

RESPONSE TO JUNE 27, 2003 OFFICE ACTION

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: Jennifer J. Taylor, Ph.D. (Tel. 509-624-4276; Fax 509-838-3424)
Wells St. John P.S.
601 W. First Avenue, Suite 1300
Spokane, WA 99201-3828

AMENDMENTS

Introductory Comments

In response to the Office Action dated June 27, 2003, applicant amends and
remarks as follows.

Adjustment date: 10/29/2003 EEKUBAY1
10/03/2003 JBALINAM 00000033 230925 09695814
01 FC:1801 336.00 CR

Practitioner's Docket No. HO58-044

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stephen P. Turner et al.

Application No.: 09/695,814

Group No.: 1753

Filed: October 24, 2000

Examiner: Rodney McDonald

For: "Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering Targets"

Commissioner for Patents and Trademarks
Washington, D.C. 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

I. RETURN OF REFUND REQUEST

This is a request for a refund, with respect to the debit to Deposit Account 23-0925, shown on the statement dated October 3, 2003 for the above-identified application.

A copy of the monthly statement, in which the error referred to occurs, accompanies this request.
A copy of the Ex-Post Declaration, copy of the Fee Transmittal, and copy of the Response to June 27, 2003 Office Action, accompanies this request.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231.

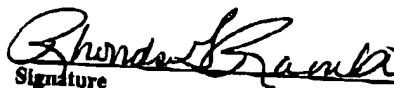
FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office. 703-308-6778

Date:

23 October 2003

Signature



Rhonda G. Rambo

(type or print name of person certifying)

(Request for Debit (Improper Credit of Deposit Account)—page 1 of 2)

6 Pages total

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED

	AMOUNT OF REFUND REQUESTED
Improper charge for Independent Claims Excess of Three	\$336.00
TOTAL REFUND REQUESTED	\$336.00

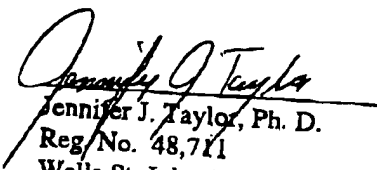
III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

On September 29, 2003 we filed an Office Action Response to the PTO Communication mailed June 27, 2003. On the Fee Transmittal dated September 29, 2003, we made an error on the Extra Claim Fee calculation - there were NO additional claims to this Office Action Response; only fees for the Supplemental Information Disclosure and the Terminal Disclaimer. We submitted check # 140457, in the amount of \$290.00 for the Supplemental Information Disclosure and the Terminal Disclaimer. Therefore, no additional fees are believed to be required. Please credit Deposit Account No. 23-0925 with the above fee amount.

IV. MANNER OF REFUND

Please Credit Account No. 23-0925.

Date: October 23, 2003


Jennifer J. Taylor, Ph. D.
Reg. No. 48,711
Wells St. John P.S.
601 West First Ave., Suite 1300
Spokane, WA 99201-3828
Tel. No.: (509) 624-4276
Customer No.: 021567

(Request for Debit (Improper Credit of Deposit Account)—page 2 of 2)



Deposit Account Statement

Requested Statement Month: October 2003
 Deposit Account Number: 230925
 Name: WELLS ST JOHN PS
 Attention: RHONDA RAMBO
 Address: 601 WEST FIRST AVENUE SUITE 1300
 City: SPOKANE
 State: WA
 Zip: 99201-3817

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
10/02	25	09888214	LO25-003	1202	-\$72.00	\$12,610.00
10/02	96	10672816	MI22-2398	1202	\$180.00	\$12,430.00
10/03	15	6500744	MI22-1197	1811	-\$100.00	\$12,530.00
10/03	23	10340126		9204	-\$180.00	\$12,710.00
10/03	41	09695814	H0001468	1201	\$336.00	\$12,374.00
10/03	42	09172096		9204	-\$20.00	\$12,394.00
10/03	952	2135589	TW3-106	7205	\$100.00	\$12,294.00
10/03	953	2135589	TW3-106	7208	\$200.00	\$12,094.00
10/06	282	2121120	CU15-101	7205	\$100.00	\$11,994.00
10/06	283	2121120	CU15-101	7208	\$200.00	\$11,794.00
10/06	336	09880580		9204	-\$30.00	\$11,824.00
10/07	19	09148723	MI22-981	1806	-\$180.00	\$12,004.00
10/08	4	6500709	MI22-1584	1811	-\$100.00	\$12,104.00
10/08	5	09867754	ZA1-007	2801	\$385.00	\$11,719.00
10/08	551	78310825	WO28-110	7001	\$335.00	\$11,384.00
10/09	2	09881299	MI22-1747	1801	\$750.00	\$10,634.00
10/09	38	SUBSCRIPTION		8001	\$3.00	\$10,631.00
10/09	43	PCT/US03/30731	H0003933-PCT	1602	\$250.00	\$10,381.00
10/09	426	76095115	CO75-102	7004	\$150.00	\$10,231.00
10/09	433	76095113	CO75-101	7004	\$150.00	\$10,081.00
10/10	92	10102199	NO35-001	8001	\$15.00	\$10,066.00
10/14	1886	78313283	BE58-102	7001	\$335.00	\$9,731.00
10/15	1	09653156	MI22-1518	1801	\$770.00	\$8,961.00
10/15	2	09686714	IR3-012	2201	\$42.00	\$8,919.00
10/15	36	SUBSCRIPTION		8001	\$3.00	\$8,916.00
10/15	599	78313654	MA91-101	7001	\$335.00	\$8,581.00
10/15	603	78313657	MA91-102	7001	\$335.00	\$8,246.00
10/16	27	PAYMENT		9203	-\$6,000.00	\$14,246.00
10/16	384	10071843		8021	\$40.00	\$14,206.00
10/17	23	6383848		1811	-\$100.00	\$14,306.00
10/17	26	6482691	MI22-1345	1811	-\$100.00	\$14,406.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION SERIAL NO 09/695,814
 FILING DATE October 24, 2000
 INVENTORSHIP Stephen P. Turner et al.
 ASSIGNEE Honeywell International Inc.
 GROUP ART UNIT 1753
 EXAMINER McDonald, Rodney
 ATTORNEY'S DOCKET NO H0001468
 TITLE: Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering Targets

EX POST DECLARATION OF EXPRESS MAILING

I hereby declare that I have deposited the below-listed papers with the United States Postal Service "Express Mail Post Office to Addressee" service, addressed and posted as indicated below, in compliance with 37 CFR 1.10. The Express Mail label No. has been placed on one or more of the papers listed.

Express Mail Number: EV318285037US
 Date of Deposit: 9/29/03
 Time of Deposit: 4:30 a.m./p.m.
 Deposited By: ☒ Delivery to Postal Employee
☐ Place in Drop Box
 Addressee: Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

Place of Deposit:

☐ U.S. Post Office (Paulsen Bldg. Br.)
 421 West Riverside, Room 201
 Spokane, Washington 99201
 Last Scheduled Drop Box Pickup: 4:40 p.m.

☒ U.S. Post Office (Riverside Station)
 904 West Riverside
 Spokane, Washington 99201
 Last Scheduled Drop Box Pickup: 5:00 p.m.

☐ U.S. Post Office (DIST. CTR.)
 2928 S. Spotted Road
 Spokane, Washington 99202
 Last Scheduled Drop Box Pickup: 9:00 p.m.

☐ U.S. Post Office _____ Branch
 Last Scheduled Drop Box Pickup: _____ a.m./p.m.

Listing Of Items Enclosed in Mailing:

1. 2 return receipt postcards
2. \$290.00 Check
3. Transmittal Form (PTO/SB/21) & Fee Transmittal (PTO/SB/17) in duplicate
4. Response to June 27, 2003 Office Action
5. Terminal Disclaimer
6. Supplemental Information Disclosure Statement w/PTO-1449 and copy of cited references

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issued therefrom.

Dated at Spokane, Washington this 29th day of September, 2003.

Printed Name: Trinity Coxon

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$290.00)

Complete If Known

Application Number 09/695,814
Filing Date October 24, 2000
First Named Inventor Stephen P. Turner
Examiner Name McDonald, Rodney
Art Unit 1753
Attorney Docket No. H0001468

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

23-0925

Wells St. John P.S.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 41
Independent Claims 9
Multiple Dependent Claims 32

Extra Claims Fee from below

20% = 0 X
3% = 0 X

Fee Paid

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9		
1201 84	2201 42		
1203 280	2203 140		
1204 84	2204 42		
1205 18	2205 9		

SUB1

**or number previously paid.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity / Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 30	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	2804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 830	2503 315	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	2807 50	Processing fee under 37 CFR 1.17(c)	
08 180	1808 180	Submission of Information Disclosure Stmt	180
21 40	8021 40	Recording each patent assignment per property (times number of properties)	
38 750	2808 375	Filing a submission after final rejection (37 CFR 1.129(a))	
0 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
31 750	2801 375	Request for Continued Examination (RCE)	
12 900	1802 900	Request for expedited examination of a design application	

If fee (specify)

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$290.00)

SUBMITTED BY

Name (Print/Type) Jennifer J. Taylor, Ph.D.

Signature

Registration No.
(Attorney/Agent)

48,711

(Complete if applicable)

Telephone 509-624-4276

Date

September 29, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PT -2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

10/23/03 THU 13:07 [TX/RX NO 8003] 005

Appl. N . 09/695,814

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/695,814
Filing Date October 24, 2000
Inventor..... Stephen P. Turner et al.
Assignee..... Honeywell International Inc.
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Spokane, WA 99201-3828

AMENDMENTS**Introductory Comments**

In response to the Office Action dated June 27, 2003, applicant amends and remarks as follows.

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EV318285037